

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20422 of 2024

Arising Out of PS. Case No.-227 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Chhotu Kumar @ Kailash Mandal @ Kailash Mahto S/o Late Rameshwar Mandal @ Rameshwar Mahto R/o Vill - Mausai Bari Gol Chakkar, P.S. - Dhruba, Dist. - Ranchi (Jharkhand)
 2. Krishna Rai @ Chokha Yadav S/o Bijay Rai R/o Vill - Jagarnathpur Bara Khatal, P.S. - Jagarnathpur, Dist. - Ranchi (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Humayou Ahmad Khan

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 18-03-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are in custody in connection with Sessions Trial No. 725 of 2023 arising out of Samastipur Town P.S Case No. 227 of 2023 registered for the offences punishable under Sections 324 / 326 / 307 / 120(B)/34 of the I.P.C and under Sections 25(1-B)A, 26,27 and 35 of the Arms Act.

3. As per prosecution case, 3-4 miscreants have fired on prisoners and policemen during the procedure



of production of prisoners in the Court.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. It is further submitted that petitioners are not named in FIR their name surfaced from the confessional statement of the other co-accused. It is next submitted that one of the co-accused has already been granted bail by the Co-ordinate Bench of this Court *vide* order dated 23.01.2024 passed in Cr. Misc. No. 984 of 2024. Petitioners have no criminal antecedent as stated in para 3 of the bail petition. It is also submitted that petitioners are in judicial custody since 15th September 2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioners.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioners, let the above named petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of



the like amount each to the satisfaction of learned
C.J.M, Samastipur in connection with Sessions Trial
No. 725 of 2023 arising out of Samastipur Town P.S
Case No. 227 of 2023.

(Ramesh Chand Malviya, J)

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